

AN ACT

relating to the continued employment of municipal employees who become candidates for public office.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act shall be known as the Senator Mario Gallegos Act.

SECTION 2. Chapter 150, Local Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. EMPLOYEES AS CANDIDATES FOR OFFICE

Sec. 150.041. PROHIBITED MUNICIPAL ACTIONS. (a) In this section, "candidate" has the meaning assigned by Section 251.001(1), Election Code.

(b) A municipality may not prohibit a municipal employee from becoming a candidate for public office.

(c) A municipality may not take disciplinary action against a municipal employee, including terminating the employment of the employee, solely because the employee becomes a candidate for public office. However, the employee is still expected to fulfill all the duties and responsibilities associated with their municipal employment.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

H.B. No. 3739

1 Act takes effect September 1, 2013.

H.B. No. 3739

President of the Senate

Speaker of the House

I certify that H.B. No. 3739 was passed by the House on May 2, 2013, by the following vote: Yeas 145, Nays 2, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3739 on May 23, 2013, by the following vote: Yeas 135, Nays 5, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3739 was passed by the Senate, with amendments, on May 20, 2013, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

APPROVED: _____

Date

Governor